

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RANDY McCAA,

Plaintiff,

v.

MICHAEL MEISNER, JANEL NICKEL,
KAREN ANDERSON, DAWN LAURENT,
GARY MAIER, DONALD MORGEN,
DR. JENNIFER M. BEHR,
DIVINE SAVIOR HOSPITAL,
and ABC FICTITIOUS INSURANCE CO.,

Defendants.

ORDER

13-cv-574-bbc

Plaintiff Randy McCaa, a prisoner at the Green Bay Correctional Institution in Green Bay, Wisconsin, has submitted a proposed complaint. With the exception of habeas corpus proceedings, the fee for civil actions filed after May 1, 2013 is \$400 unless a litigant qualifies as indigent under the federal *in forma pauperis* statute, 28 U.S.C. § 1915(a), in which case the fee is \$350. Plaintiff has filed a motion for leave to proceed *in forma pauperis*. A decision on the request will be delayed until plaintiff pays an initial partial payment of the filing fee as required by 28 U.S.C. § 1915(b) and the 1996 Prison Litigation Reform Act. Plaintiff's initial partial payment cannot be calculated at this time because he has not submitted a trust fund account statement with his complaint.

Plaintiff's complaint was filed on August 11, 2013. His trust fund account statement should cover the six-month period beginning approximately February 11, 2013 and ending approximately August 11, 2013. Once plaintiff has submitted the necessary statement, I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under 28 U.S.C. § 1915(e)(2). Plaintiff should

show a copy of this order to prison officials to insure that they are aware they should send a copy of plaintiff's six-month trust fund account statement to this court.

ORDER

IT IS ORDERED that plaintiff Randy McCaa may have until September 9, 2013, in which to submit a certified copy of his trust fund account statement for the period beginning approximately February 11, 2013 and ending approximately August 11, 2013. If, by September 9, 2013, plaintiff fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily. In that event, the clerk of court is directed to close this case without prejudice to plaintiff's filing his case at a later date.

Entered this 15th day of August, 2013.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge